

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR) Department – Cancellation of certificate by the Collector & District Magistrate, Adilabad vide Procs.Rc.No.C3/530/2019-6, dt.24.09.2020.- Appeal filed by Rathod Pooja D/o Bhikku R/o. Hasnapur village, Utnoor Mandal, Adilabad District– Appeal allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 47

Dated: 25-06-2021

Read the following:-

1. GO Ms.No.24, TW (LTR) Department, dated 12.6.2018.
2. Procs.Rc.No.C3/530/2019-6, dt.24.09.2020 of the Collector & District Magistrate, Adilabad.
3. Appeal petition filed by Rathod Pooja D/o Bhikku R/o. Hasnapur village, Utnoor Mandal, Adilabad District, dated. 16.10.2020.
4. Govt.Memo.No.911/TW.LTR/2020,dt.:04.12.2020 &17.12.2020.
5. Govt.Notice No.911/TW.LTR/2020,dt.04.12.2020 & 17.12.2020.
6. Lr.Rc.No.D5/30/2018,dated:09.12.2020 of the PO, ITDA, Utnoor, Adilabad District.

ORDER

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the Collector & District Magistrate, Adilabad, vide her orders in the reference 2nd read above, has cancelled the Agency Area Local ST Certificate of Rathod Pooja D/o Bhikku, R/o. Hasnapur village, Utnoor Mandal, Adilabad District and declared that she is not a Local Schedule Tribe as per definition of G.O.Ms.No. 24, TW (LTR-1), Dt. 12.06.20218.

3. The history of the case is that Rathod Pooja has been provisionally selected to the post of SCTPC (Civil) under ABOST in Adilabad District in Recruitment – 2018 and during verification of certificates, her Agency Area certificate was found not genuine as per the guidelines mentioned in GO Ms.No.24, dt.12.6.2018, by the District Collector, Adilabad in her Procs.No.C3/530/2019-6, dt. 24-09-2020 basing on the following findings of the Scrutiny Committee headed by the PO ITDA Utnoor:

- Before the Scrutiny Committee, Rathod Pooja D/o Bhikku had submitted the following documents in support of her claim:
 1. 1355 Fasli (Register Wasool Baqui)
 2. 1954-55 Khasra Pahani
 3. 1960 Sethwar
 4. Family Tree
 5. 1977 Voter list (Sl.No.891)
 6. Old PPB
 7. Educational Certificates
 8. Aadhar Card 923080655415

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- After verification, the Scrutiny Committee concluded with the following findings:
 1. On receipt of a complaint against this candidate's LST certificate, on local enquiry it is revealed that the applicant has submitted bogus family tree & land records which is not at all concerned with applicant's family which is highly objectionable.
 2. Applicant has not proved her continuous residence in Agency area since 1950 or before.
 - In view of the above findings, the Scrutiny Committee recommended for cancellation of her Agency Area Local ST certificate bearing No.C/399/2018, dt.7.3.2019 issued by the Tahsildar, Utnoor.
 - A show cause notice was issued to her to attend before the Dist. Collector, Adilabad on 23.6.2020 along with her written reply and connected documents to prove her claim as Local ST.
 - In compliance, Rathod Pooja D/o Bhikku R/o Hasnapur village had attended. The Tahsildar, Utnoor was also present and informed that there was a complaint received from Sri Tukaram that the applicant had shown bogus family tree using their names and records to prove her claim as Local ST but she does not belong to their family. Further, the Tahsildar, Utnoor had informed that on local enquiry, it was revealed that the applicant had submitted bogus family tree & land records which were not at all concerned to her family and the PO ITDA Committee had also rejected on the same reason.
 - Candidate failed to submit reply on the objection and therefore observing that she had intentionally submitted documents of others not related to her family tree, accepting recommendations of the Scrutiny Committee, her Agency Area ST certificate No.C/399/2018, dt.7.3.2019 issued by the Tahsildar, Utnoor was cancelled and also declared that she is not a local ST as per definition of GO Ms.No.24, TW (LTR.1) Dept. dt.12.6.2018.
4. Aggrieved by the orders of the District Collector, Adilabad and in view of appeal provision under GO Ms.No.24, dt.12.6.2018, the appellant Rathod Pooja D/o Bhikku R/o Hasnapur village, Utnoor Mandal has filed an Appeal before the Government on 16.10.2020 praying the verify her certificates and consider.
5. The following documents have been submitted along with the Appeal and also during hearing on 23.12.2020 before the Government:
- i) Family Tree available on record sent by PO ITDA Utnoor through his Lr.Rc.No.D5/309/2018, dt.9.12.2020:
- Rathod Rathansingh S/o Lasma is grandfather of appellant. He has five sons namely 1) Ganapathi 2) Bhikku (father of appellant) 3) Dharmu 4) Vasanth Kumar and 5) Ganesh.

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Rathod Bhikku (father of appellant) has four children namely 1) Vinoda Kumari (daughter) 2) Payal (son) 3) Pooja (daughter and appellant herein) and 4) Santosh (son).

The above family tree has been drawn by the VRO Hasnapur and Revenue Inspector.

Family Tree as submitted by the appellant duly Notarized

Rathod Ratansingh S/o Lachma is grandfather of appellant. He has five sons namely 1) Ganapthi 2) Bhikku (father of appellant) 3) Dharmu 4) Vasanth Kumar and 5) Ganesh.

Rathod Bhikku i.e. father of appellant has four children namely 1) Vinoda Kumari (daughter) 2) Pooja (daughter and appellant herein) 3) Payal (son) and 4) Santosh (son).

The hierarchy and names in both the family trees are found one and the same.

- ii) Fasli 1348 (year 1938) – shows name of Ratansingh (grandfather of appellant) for an extent of acs.8.26 in Sy.No.30 in Hasnapur village of Utnoor Mandal – translated from Modi Marathi to Telugu by K.Raja Ram.
- iii) Pahani 1966-67 – Hasnapur village – name of Ratan S/o Lachma (grandfather of appellant) was recorded.
- iv) Pahani 1971-72 – Hasnapur village – name of Ratan S/o Lacham (grandfather of appellant) was recorded for an extent of acs.5.21 in Sy.No.152.
- v) Pahani 1983-84 – Hasnapur village – name of Ratan S/o Lachma (grandfather of appellant) was recorded for an extent of acs.1.32 in Sy.No.152/2.
- vi) Pahani 1993-94 – Hasnapur village – name of Ratan S/o Lasma (grandfather of appellant) was recorded for an extent of acs.8.08 in Sy.No.153/1.
- vii) New PPB No.T13180060291 – Khata No.395 – issued to Rathod Bhikku S/o Ratansingh (father of appellant) showing an extent of acs.10.00 in Sy.No.69/1 and acs.1.32 in Sy.No.152/2 in Hasnapur village of Utnoor Mandal.
- viii) Voter list for the year 1977 – 243 Khanapur Assembly Constituency – Part No.112 – Hasnapur village – Sl.Nos.891 and 892 show names of Ratansingh S/o Lachma and his wife Jammibai.
- ix) Local ST Candidate Certificate bearing No.E/308/2017, dt.10.07.2017 issued by the Tahsildar, Utnoor Mandal – wherein it was certified that Kumari Rathod Pooja D/o Rathod Bikku

R/o Hasnapur village of Utnoor Mandal belongs to ST by caste Lambadis and further certified that Sri Rathod Bikku parent of Kumari Rathod Pooja themselves or her parents have been continuously resident from 1950 to till date at Hasnapur village of Utnoor Mandal (as per fasli year 1355 and Khasra pahani year 1954-55 of Hasnapur village), which is a notified scheduled village of Utnoor Mandal and which falls within the scheduled area w.e.f. 26.1.1950.

- x) Certification by Sarpanch, GP Hasnapur, Mandal: Utnoor dt.02.02.2020 – that Sri Rathod Ratansingh S/o Lachma has been living in Hasnapur village from before 1950. He was married to Smt.Jammibai D/o Hemla. Ancestors of Jammibai also living in the same Hasnapur village from before 1950.
- xi) GP Hasnapur resolution dt.15.8.2020 – declared that Seri Rathod Ratansingh living in the village since 1930 along with his family i.e. son Bhikku and his daughter Rathod Pooja. There is only one person in the name of Ratan S/o Lachma.
- xii) Electoral Photo Identity Card No.AP/35/243/066522 issued to Sri Rathod Ratansingh S/o Lachma R/o H.No.4-88, Hasnapur village, Utnoor Mandal – Date of issue : 15.12.1995 – age of Ratansingh i.e. grandfather of appellant was 62 as on 1.1.1995.
- xiii) Electoral Photo Identity Card No.AP/35/243/066251 issued to Smt.Jammibai W/o Ratansingh R/o H.No.4-88, Hasnapur village, Utnoor Mandal – Date of issue: 15.12.1995 – age of Jammibai i.e. grandmother of appellant was 55 as on 1.1.1995.
- xiv) Village elders declaration recorded by VRO Hasnapur and MRI – four sets 1) signed by Jadhav Vimalabai, Sarpanch, Hasnapur 2) Rathod Ramji, ex-Karobari, Hasnapur 3) Dy.DM&HO, Utnoor and 4) Medical Officer, RIMS, Adilabad – wherein it was declared that the appellant Rathod Pooja and her ancestors have been continuously living in Hasnapur village of Utnoor Mandal from before 1950.

6. Vide reference 4th read above the Collector & District Magistrate, Adilabad has been requested to submit original record pertains to the case along with Parawise Remarks.

7. Accordingly, vide reference 6th read above the PO, ITDA, Utnoor, Adilabad has submitted the connected documents of the case along with Para wise Remarks.

8. Vide reference 5th read above a Notice has been issued to the appellant to attend for hearing on 23.12.2020 before the Government to prove her claim along with documentary evidences. Accordingly the Appellant Rathod Pooja D/o Bhikku has attended for hearing on 23.12.2020 and submitted the documents along with Appeal Petition.

9. From the above documentary evidences produced by the appellant before the Government and also available on record sent by PO ITDA Utnoor, it is established that the appellant Rathod Pooja D/o Bhikku is a

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local ST candidate of Hasnapur agency village in Utnoor Mandal of Adilabad District.

10. Government after careful examination of the documents available on record sent by the PO ITDA, Utnoor, Adilabad, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 23.12.2020, it is found that the Appellant Rathod Pooja D/o Bhikku is a local ST candidate of Hasnapur agency village in Utnoor Mandal of Adilabad District.

11. Accordingly, Government hereby setting aside the orders of the Collector & District Magistrate, Adilabad in Proc.No.C3/530/2019-6, dt. 24-09-2020 and allowed the Appeal filed by the appellant Rathod Pooja D/o Bhikku R/o Hasnapur village of Utnoor Mandal, Adilabad District and declaring her as local ST of Hasnapur agency village in Utnoor Mandal of Adilabad District. The Local ST Candidate Certificate bearing No.E/308/2017, dt.10.07.2017 issued by the Tahsildar, Utnoor Mandal is also treated as valid.

12. The Collector & District Magistrate, Adilabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Rathod Pooja D/o Bhikku R/o Hasnapur village of Utnoor Mandal, Adilabad District

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Chairman, Telangana State Level Police Recruitment Board, Hyderabad (for information & necessary action)
3. The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
4. The Superintendent of Police, Adilabad District (for information & necessary action)
5. The PS to Hon'ble Minister for ST Welfare for information.
6. The PS to Secretary (TW)
7. The PS to Special Secretary (TW)
8. SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER